

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

GREGORY DENIS TRUETTE, No. 05884-017

PETITIONER

VERSUS

CIVIL ACTION NO. 5:12-cv-101-DCB-RHW

ARCHIE B. LONGLEY, et al.

RESPONDENTS

ORDER

This matter is before the Court, sua sponte. The proper party respondent in a habeas petition is the petitioner's custodian. See 28 U.S.C. § 2243. Thus, the proper respondent in this civil habeas action is Archie B. Longley, Warden of F.C.C.-Yazoo, Yazoo City, Mississippi.

Having reviewed the petition, this Court finds that along with naming Warden Archie B. Longley, petitioner's custodian, as a respondent, the petitioner has also named Harley Lappin, Director of the Federal Bureau of Prisons, as a respondent. Because respondent Lappin is not the proper respondent in this civil habeas action, it is

ORDERED that the clerk is directed to dismiss respondent Harley Lappin.

This the 27th day of August, 2012.

s/David Bramlette

UNITED STATES DISTRICT JUDGE